

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DAVID L. SCOTT,)	
)	
Plaintiff,)	
)	
v.)	1:16CV1107
)	
NANCY A. BERRYHILL, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on August 31, 2017, was served on the parties in this action. (ECF Nos. 15, 16.) Plaintiff filed objections to the Magistrate Judge's Recommendation. (ECF No. 17.)¹ The Court has appropriately reviewed the Magistrate Judge's Recommendation and has made a *de novo* determination in accord with the Magistrate Judge's Recommendation. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Commissioner's decision finding no disability is affirmed, that Plaintiff's Motion for a Judgment Reversing or Modifying the Decision of the Commissioner of Social Security, or Remanding the Cause for a Rehearing (ECF No. 11) is denied, that Defendant's Motion for Judgment on the Pleadings (ECF No.

¹ On October 19, 2017, the United States Magistrate Judge granted Plaintiff's Motion to Strike Defendant's Response to Plaintiff's Objections (ECF No. 19) on grounds of untimeliness (see Text Order dated Oct. 19, 2017).

13) is granted, and that this action is dismissed with prejudice. A Judgment dismissing this action will be entered contemporaneously with this Order.

This, the 30th day of October, 2017.

/s/ Loretta C. Biggs
United States District Judge